

FARMINGTON CITY PLANNING COMMISSION

Thursday, September 26, 2002

PLANNING COMMISSION REGULAR SESSION

Present: Chairman Linda Hoffman, Bart Hill, Larry Jensen, Cindy Roybal, Cory Ritz, Sid Young, City Planner David Petersen, and Deputy City Recorder Jeane Chipman
Commissioner Kent Forsgren was excused.

Chairman Hoffman called the meeting to order at 7:00 P.M. **Bart Hill** offered the invocation.

APPROVAL OF MINUTES

Cory Ritz *MOVED* that the minutes of the September 12, 2002, Planning Commission Meeting be approved as corrected. **Bart Hill** seconded the motion. The Commission voted unanimously in favor.

PUBLIC HEARING: BOYER WHEELER FARM L.C. REQUEST FOR PRELIMINARY PLAT APPROVAL FOR PHASES 4, 5, & 6 OF THE FARMINGTON RANCHES SUBDIVISION CONSISTING OF 159 LOTS ON 70.85 ACRES LOCATED AT APPROXIMATELY 2000 WEST CLARK LANE IN ANA AE ZONE (S-2-02) (Agenda Item #2)

Background Information:

Thus far the native landscaping on previous phases of the Farmington Ranches Subdivision has been disappointing. The vegetation, after the subdividers cleared the property, is characterized by tall milkweed-type plants that hide the location of fire hydrants, reduce visibility at corners, and is very aesthetically unpleasing. It may be that the native grasses purported to be planted by the developer have not germinated yet. What can be done so that Phases 4, 5, and 6 do not end up looking like Phases 1 and 2 as far as native grasses and other vegetation are concerned?

The present plant cover on the property is characterized by native grasses and wetland vegetation. The developer should take great care in not grading or excavating beyond building pad sites which may require revegetation in the future. By following the Development Agreement which discourages indiscriminate development of open space, any future re-landscaping or re-planting of native grasses or revegetation should be minimized. The City has received recommendations from the Natural Resources Conservation Service (NRCS) of the United States Department of Agriculture in the past for other places in the community. A recommendation from the NRCS regarding the landscape plan prepared for the proposed

END OF PACKET MATERIAL.

Mr. Petersen reviewed the background information. He had talked to Gary Payne of the Davis School District who said he would look into facing the new school in west Farmington with synthetic rock. Mr. Petersen also talked about the milkweed problem that existed on the property. The weeds grow very tall and obscured fire hydrant locations and traffic sight distances. Mr. Petersen felt the problem may be resolved with time, since native grass seeds planted to landscape the area may lay dormant in a dry year. He asked the developer to provide seed mixture details used for the first phase to verify whether or not the seed application was acceptable, but the developer has not yet provided this information.

Chairman Hoffman opened the meeting to a *PUBLIC HEARING*.

Dick Moffat stated he had nothing to add but was happy to answer any questions the Commission may have.

With no other forthcoming comments, the Chairman *CLOSED* the public hearing and asked the Commission for their response. The Commission discussed the agenda item, including the following points:

- It was noted that the preliminary plat design showed open space corridors through Parcels 4B, 6C, and 4D. The developer volunteered to create trails through those open corridors.
- The drainage plan for the project had been reviewed by the City Engineer in recent months. It had been upgraded and seemed to be working well.

Larry Jensen *MOVED* the Planning Commission approve the preliminary plat for Phases 4, 5 and 6 of the Farmington Ranches Subdivision subject to all applicable Farmington City development standards and ordinances and the following conditions:

1. Review and approval of the plat and improvement drawings by the City Engineer, Public Works Department, Fire Department, Central Davis County Sewer District, and Weber Basin Water Conservancy District.
2. Review and approval by the City Engineer of a grading and drainage plan showing by appropriate graphic means the proposed grading of the subdivision and a storm drainage facility plan showing the needed storm drainage facilities with runoff calculations and location, size and outlets of the drainage system.
3. Illustrate the proposed conservation land associated with Phase 4, 5, and 6 on the Farmington Ranches project master plan.

4. Submit a landscape plan for review and approval by the City for all neighborhood open space areas within the plats.
5. The development is subject to the conditions set forth in Development Agreement 2000-23 between Farmington City and The Boyer Company dated August 31, 2000, and any amendments related thereto.
6. Demonstrate to the City that a wetlands permit has been issued for the Phase 4, 5, and 6 construction permitting development of the same.
7. Change the cul-de-sac into a stub street between lots 634 and 622.

It was noted during discussion that #8 in the suggested motion (identify the 100-year flood plain on any final plat of the Farmington Ranches Phase 4, 5, or 6 Subdivisions and provide the lowest habitable elevation at or above the base flood elevation for lots within the flood plain) had been excluded from the current motion because it had already been done. Mr. Petersen stated that condition #8 of the suggested motion had been mentioned as a reminder and that it had been listed on the final plat check list. The developer stated he agreed that notations of the flood plain and the lowest habitable elevation should be noted on all plats and such was being done.

Sid Young seconded the motion. The motion passed by unanimous vote.

Reasons for the motion included:

1. The application met all City requirements.
2. The application was a continuation of past business.
3. The Planning Commission had worked with the applicant in the past and had found they could have confidence in the work being done.
4. The project provided housing for Farmington citizens.

PUBLIC HEARING: DANVILLE LAND INVESTMENTS, L.L.C. REQUEST FOR RECOMMENDATION TO THE CITY COUNCIL REGARDING AN APPLICATION TO AMEND THE GENERAL PLAN FROM RURAL RESIDENTIAL DENSITY TO MEDIUM DENSITY RESIDENTIAL ON APPROXIMATELY 54 ACRES OF LAND GENERALLY LOCATED WEST OF I-15, SOUTH OF SHEPARD LANE, AND EAST OF DRG&W RAILROAD TRACKS, AND TO FURTHER REZONE SAID PROPERTY FROM A (AGRICULTURE) TO R-4 (MULTIPLE-FAMILY RESIDENTIAL) (Z-3-02) (Agenda Item #3)

Background Information:

On September 12, 2002, the Planning Commission held a public hearing regarding this agenda item. The Planning Commission was unable to act because General Plan amendment applications require a two-week notice period for public hearings in a newspaper of local circulation. This notice requirement was not met for the September 12th meeting. Therefore, the Planning Commission continued the Public Hearing until September 26, 2002, to satisfy the notice requirements.

The same information that was given to the Planning Commission on September 12th is still applicable for the hearing scheduled for September 26, 2002.

END OF PACKET MATERIAL.

Chairman Hoffman stated the agenda item was a continuation from the last Planning Commission meeting.

Mr. Petersen said more than the required two weeks had lapsed since notification for a public hearing on the agenda item had been mailed. It was good government practice to allow for the public hearing to continue. The City Council was moving forward with plans to retain a consultant regarding an economic land use study. The outcome of the study could possibly impact the application, therefore the developer had sent a letter requesting that the application be tabled until after the economic study had been completed.

Chairman Hoffman *OPENED* the public hearing.

When **Mr. Jensen** raised a point of order, the Planning Commission discussed options for proceeding. The developer had requested the item be tabled. However, since the public hearing from the last meeting had been continued to this evening's meeting and had been noticed as such, it was deemed wise to continue to take public comment. Commissioners were also concerned that if the item were tabled or if the developer resubmitted the request with changes that the public still be able to respond to the changes in another public hearing.

Bruce Richards (1184 North Set Court) had voiced his opposition during the last public hearing. He felt that the developer had made the point that the property was undesirable and therefore only suitable for high density development. Mr. Richards contended that was not the case and brought pictures of the land to show the Commission. He said high density housing would not be the ideal use of the property and that the Commission should deny the request.

With no further forthcoming comments, **Chairman Hoffman** *CLOSED* the public hearing. A discussion ensued, including the following points:

- ▮ One of the reasons the request had been denied in the first place was because of the increased traffic in the already congested neighborhood. Another reason was that the Commission had felt a need to have the input from the up-coming

economic study which will provide recommendations for land use throughout the City.

- ↯ The Commission requested that the applicant receive a fee waiver if he decides to reapply for the rezone in the event that the current submission is denied.
- ↯ If the request were to be denied, Commission members wanted to ensure that another public hearing would be conducted at such time that the developer resubmitted any plans for the land.

Cory Ritz *MOVED* that the agenda item be tabled until such time that the Commission could review information provided by the up-coming economic development study for the entire City. If after that review, the applicant decides to move forward with the submission, another public hearing is to be conducted. **Larry Jensen** seconded the motion.

The Commission discussed the motion. **Mr. Young** felt that the message being sent to the developer was not accurate. He was concerned that the developer understand it was not just the economic study that was impeding the approval vote of the Commission. Mr. Young said he was not convinced that the rezone was in the best interest of the City.

Mr. Hill felt there were traffic problems that had not been resolved.

Mr. Ritz stated that a great deal of work had already gone into the project, including public meetings and redesigns.

After further discussion regarding the consequences of either tabling and denying the motion, **Mr. Ritz** withdrew his motion.

Sid Young *MOVED* to recommend that the City Council deny the application based on the lack of current information regarding economic fiscal impacts to the City and transportation impacts to the area. Also, that associated fees should be waived if the developer decides to come back with another rezone application. **Cory Ritz** seconded the motion, which passed by unanimous vote.

Reasons for the motion included:

1. The Commission felt a need to review information soon to be provided by consultants hired by the City to conduct an economic feasibility study prior to considering a subdivision of this size.
2. Transportation needs of the area have not been resolved.

3. Rezoning the property at this time may not be in the best interest of the City, because it may not be consistent with the General Plan.
4. Regardless of the meetings held by the developer with local citizens, many of them were still opposed and unconvinced that the project was the best possible use for the land.

PUBLIC HEARING: CONSIDERATION OF APPROVAL TO MODIFY CONDITIONAL USE PERMIT C-7-00 BY PROVIDING COVERED PARKING FOR 82 EXISTING PARKING STALLS AT THE ROSE COVE APARTMENT LOCATED AT 847 NORTH SHEPARD CREEK PARKWAY (Agenda Item #4)

Background Information:

The applicant will be on hand to show the latest covered parking proposal and to answer Planning Commission suggestions.

END OF PACKET MATERIAL.

Mr. Petersen stated the developer had redesigned the covered parking to provide for better looking construction and low pressure, directional lighting. The new design was higher quality and was more compatible with the surrounding buildings.

Chairman Hoffman opened the meeting to a *PUBLIC HEARING* and invited a representative for the developer to address the Commission.

Keith Bennett (architect for the Rose Cove Apartments) stated he and the developer had reviewed the design of the covered parking structure with the City's design review committee and he and the developer were willing to abide by the recommendations made.

Mr. Jensen asked if the design had taken wind resistance into consideration.

Mr. Bennett said that they were aware of the strong winds in the area and had designed the structures to withstand up to 100 mile-per-hour winds and a heavy snow load.

Gail Gove (912 North Shepard Lane) said he understood there would be grass and trails between the condominiums and the apartments. Nothing had been done to landscape that area as yet.

Mr. Petersen stated that the trail corridor had been staked and that no permanent certificates of occupancy for the Rose Cove Apartments would be issued until all landscaping

With no further forthcoming comments, **Chairman Hoffman** *CLOSED* the public hearing.

Mr. Ritz asked if the developer had bonded for the landscaping, to which Mr. Petersen replied affirmatively.

Ms. Roybal inquired about lighting for the parking covers.

Mr. Petersen reported the developer would install “cut off” lighting.

Mr. Young asked if neighbors had been notified about the current meeting.

Mr. Petersen stated that the same notices had been sent for the current meeting as had been sent for the prior public hearing.

Cory Ritz *MOVED* that the Planning Commission approve the request to modify conditional use permit C-7-00 by amending the approved site plan to provide the covered parking subject to the following conditions:

1. The aluminum fascia on the parking structure shall be 12 to 18 inches in width and shall be a dark bronze color, flat all around, not pitched.
2. Internal drains shall be concealed.
3. The applicant shall use directional down lights (low pressure or high pressure sodium or incandescent) to illuminate the area underneath the structures.

Larry Jensen seconded the motion, which passed by unanimous vote.

Reasons for the motion included:

1. The application met City ordinances.
2. The developer had demonstrated a willingness to work with the requests of the Planning Commission.
3. The covered parking structures will help to make the apartments more saleable.
4. The Planning Commission felt confident that the developer would fulfill all agreements with the City.
5. The project will be beneficial to citizens of Farmington.

PUBLIC HEARING: CONSIDERATION OF APPROVAL TO MODIFY CONDITIONAL USE PERMIT C-9-00 BY REDUCING THE GARAGE WIDTHS ON A FUTURE FOURPLEX FROM TWO-DOOR TO SINGLE-DOOR AND CHANGING A PORTION OF THE OUTSIDE OF THE FUTURE FOURPLEX FROM STUCCO TO SIDING. SAID PROPOSED FOURPLEX IS LOCATED AT 696 NORTH STONEYBROOK CIRCLE (Agenda Item #5)

Background Information:

On August 10, 2000, the Planning Commission approved a conditional use application for a fourplex at 695 South Stoneybrook Circle. Enclosed is the conditional use permit regarding that approval issued to the applicant on September 18, 2000. The second page of the conditional use permit states: "This letter, and the stamped approved site plan and/or architectural plans constitute the conditional use permit." The building elevations proposed by the current property owner are different than the architectural plans approved by the Planning Commission in that single-car garages are proposed instead of double-car garages and part of the

outside of the building is proposed for siding instead of stucco. Hence, Mr. Preslar and Mr. Crockett, the applicants, are requesting that the Planning Commission modify the conditional use permit to allow them to build their proposed fourplex.

END OF PACKET MATERIALS.

Mr. Petersen stated that the conditional use permit previously granted was still valid. He distributed a letter from Scott and Shirley Harper (647 and 663 North Stoneybrook Circle) expressing concern for the design of the proposed multi-family dwelling. The Harpers felt parking would be a problem and that the siding planned for the building would not be consistent with surrounding buildings.

Chairman Hoffman opened the meeting to a *PUBLIC HEARING*.

Brent Preslar (developer) stated that the design of the fourplex had been downgraded to save costs and thus make it possible to lower rent, making the apartments more affordable and more competitive with the surrounding buildings. He stated it was his desire that they be kept nice.

Tom Owens (owner of the adjacent property, location of the Old Mill) stated that the Old Mill was the most important historical site in Davis County and as such must be protected from degrading surroundings. He strongly opposed the approval of more multi-family dwellings in the area. It was his feeling that within 20 years the rental units would be run down and would devalue surrounding property. There was enough rental units in the area, and there was no need for any further. It would be a big mistake to allow the fourplex because it would become a slum in a very short time. It was completely inappropriate to have a slum sitting next to the Old Mill.

In future years, people would wonder what the City officials were thinking when approval was given. He also stated he didn't think that prior conditions had all been met.

Rich Love (owner of nearby rental units) stated there had already been parking problems in the cul-de-sac. If four more homes are added with only single car garages, there would certainly be an increase in the congestion. People do not usually want to park in the driveway behind the garage door because they have to move the car to get the other one out of the garage.

With no further forthcoming comments, **Chairman Hoffman** *CLOSED* the public hearing. The Commission discussed the issues, including the following points:

1. The proposed multi-family dwelling will be built on the last remaining lot on the cul-de-sac.
2. The original, larger design was first approved in 2000. The first design had no siding but was faced with stucco and brick. The request was for a modification to the original approval.
3. Concerns over parking are valid.
4. The siding would not be consistent with the surrounding buildings. Stucco would be much better.
5. The retaining wall is an improvement to the design.
6. Several options for parking were discussed. The Planning Commission asked the developer to remember that the City officials were not in favor of a great deal of asphalt or concrete.
7. The parking problem really must be solved before any approval can be considered.

Larry Jensen *MOVED* that the Planning Commission deny the request to modify Conditional Use Permit C-9-00 by reducing the garage widths on a future fourplex from two-door to single-door and changing a portion of the outside of the future fourplex from stucco to siding. The said proposed fourplex is located at 696 North Stoneybrook Circle. If at such time the developer may wish to resubmit the request, the proposal should take into consideration parking problems as mentioned, provide a landscaping plan, and use stucco rather than siding. Also, it was moved that if the applicant decides to return to the Planning Commission the fee shall be waived and nearby property owners shall be notified that a public hearing will be conducted.

Cory Ritz seconded the motion.

Chairman Hoffman called for a vote. The motion passed 4 to 1. Mr. Jensen opposed.

Reasons for the motion included:

1. The parking was not adequately addressed. There must be enough off-street parking to equal two spaces per dwelling unit. The area in front of a garage door shall not count as one of the parking space.
2. The Commission felt that they wanted to see the redesign before approval.
3. The redesign should take into account stucco and not siding and the need for more parking.
4. The redesign should include the retaining wall.

Mr. Jensen opposed the motion because he felt the agenda item had been a continuation of the previous public hearing. He wanted to make sure that the public was made aware of any redesign and that they were given opportunity to make comments.

Chairman Hoffman allowed a comment from the public.

Fletcher Roberts stated he did not receive a notification of the public hearing. He was told by a neighbor. It may be that because he is a new owner, the County records were not yet updated. Mr. Petersen stated he would check into the matter. Mr. Roberts said if the solution to the parking problem was to pour concrete or asphalt on the south side of the lot, then he would be opposed because his property sits right there.

CITY COUNCIL REPORT AND MISCELLANEOUS

The Planning Commission was given copies of the Updated Title 13 of the Farmington City Zoning Ordinance along with instructions on how to enter into their files.

Mr. Petersen reported that the City Council had overturned a decision made by the Planning Commission regarding David Griffin's request for preliminary plat approval regarding condition #13. The condition was amended by the City Council to require Mr. Griffin to contribute funds to the City to be held in a restricted account to pay for curb and gutter along the west side of 1100 West on his east property line from a point even with the south boundary of the Farmington Creek Estates project running southerly to Shirley Rae Drive including the sewer pump station frontage.

Mr. Petersen distributed information regarding transfer of development rights (TDR). Farmington City had been chosen as one of the pilot cities to test effectiveness of TDRs. There will be a presentation made to the City Council and Planning Commission on October 2, 2002, beginning at 5:30 P.M.

The City Council held a public hearing on prescriptive rights issues in regards to access

roads to the Fire Break Road and Forest Service property on Farmington's southeast bench area.

The City Council also discussed improvements being made near Oakridge Country Club on Shepard Lane.

Ms. Roybal inquired about the trees that had been removed in the Oakridge area and expressed dismay that the City would allow such. Several members of the Commission were equally as disturbed. By consensus, the Commission requested that Ms. Roybal write a letter to the City Council expressing the Commission's concern over the unfortunate action.

Mr. Petersen briefly reviewed a recent trip he had taken to the east coast to learn more about conservation trusts. He and George Chipman will report their findings on November 14th.

ADJOURNMENT

Bart Hill *MOVED* to adjourn at 9:15 P.M. **Cindy Roybal** seconded the motion, which was followed by a unanimous vote.

Linda Hoffman, Chairman
Farmington City Planning Commission